

## UNITED STATES DISTRICT COURT

District of Minnesota

Jordan E. Terrell, et al

## BILL OF COSTS

V.

Brek Andrew Larson, et al

Case Number: 01-CV-1360 (DSD/SRN)

Judgment having been entered in the above entitled action

8/24/05 againstPlaintiffs

Date

the Clerk is requested to tax the following as costs:

Fees of the Clerk

\$ 05.00

Fees for service of summons and subpoena

Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case

79.00

Fees and disbursements for printing

Fees for witnesses (itemize on reverse side)

1,107.94

Fees for exemplification and copies of papers necessarily obtained for use in the case

Docket fees under 28 U.S.C. 1923

Costs as shown on Mandate of Court of Appeals

Compensation of court-appointed experts

Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828

Other costs (please itemize)

TOTAL \$ 1,391.94

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed.

Signature of /s/ James T. MartinName of Attorney: James T. MartinFor: Defendant Brek Larson

Date = 8/25/05

Name of Claiming Party

Costs are taxed in the amount of

and included in the judgment.

Clerk of Court

By:

Deputy Clerk

Date

"Entry of the judgment shall not be delayed for the taxing of costs."

**UNITED STATES DISTRICT COURT****District of Minnesota****PROCEDURE FOR TAXING COSTS**

The Clerk's Office is pleased to provide a guide entitled "Taxation of Costs in a Civil Case in the United States District Court for the District of Minnesota" for use by attorneys and legal staff. This guide will assist with the proper filing of Bill of Costs with this court and is available on the Court's website at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov).

Costs shall be submitted on Form AO-133 which is provided by the Administrative Office of the United States Courts for this purpose. The form is available on our website at [www.mnd.uscourts.gov](http://www.mnd.uscourts.gov) and it can be requested from the Clerk's Office, United States District Court. The completed AO-133 form shall be submitted with substantiating documentation to the Minneapolis Clerk's office.

Costs generally are not taxed and the Bill of Costs should not be submitted until the following conditions are met:

1. the time for filing of the **Notice of Appeal** has expired,
2. **a decision on post-trial motions has been made,**
3. **the appeal has been decided on the merits** or dismissed, or
4. **Writ of Certiorari is denied and opinion of the Supreme Court is filed.**

**Office Procedure**

A briefing schedule is sent to counsel of record when the Bill of Cost is filed. An appearance before the Clerk is not required. Costs may be taxed as submitted if objections are not filed. If the matter of costs is resolved prior to taxation by the Clerk, written notification of disposition shall be submitted.

**GENERAL INFORMATION**

Taxation of Costs on Appeal	See FRAP, Rule 39(d) & (e). <i>NOTE: Costs granted at the Court of Appeals level are entered in the judgment rolls upon receipt of the Mandate in the District Court. <b>DO NOT INCLUDE THESE COSTS IN THE AO-133 BILL OF COST FORM.</b></i>
Attorney Fees	Do not incorporate into the Bill of Costs; Refer LR54.3 and 28 U.S.C. § 2412.
<b>Substantiating Documentation</b>	Copies of receipts, statements, bills, checks, etc. must be submitted in support of costs and explanation of necessity for cost items claimed.
<b>Deposition Costs</b>	Generally allowed only when read into the record or received as evidence.
Exhibits	Large or unusual expenditures, such as models, must be approved by the court prior to trial or preparation, or they are generally not allowed. Exhibits must be identified by number if costs are claimed.
Copies	Generally not allowed unless received as an exhibit during trial (number identification). Certified or exemplified copies are generally allowed.
<b>Costs Differentiated from Fees and Expenses</b>	FRCP 54 and Wright & Miller, §§ 2666 and 2677.
Expert Witnesses	The Clerk is authorized to tax only the statutory witness fee of \$40 per day; subsistence if an overnight stay is required (eff. 10/01/04): Minneapolis \$156; St. Paul \$156; Duluth 6/1 to 10/31 \$135 and 11/1 to 5/31 \$111; Rochester \$107; Anoka County \$103; Dakota County \$116; Fergus Falls \$91.00, all other areas of state \$91.00. Mileage is reimbursed at \$0.405 per mile round trip travel (eff. 01/01/04). See 28 U.S.C. § 1821. Questions should be directed to the appropriate division (see below for numbers).
Air Travel	28 U.S.C. § 1821(c)(1): utilize common carrier at the most economical rate available. Receipt(s) must be furnished.

Reference: FRCP Rule 54(d); 28 U.S.C. §§ 1920, 1923, and 192 Federal Practice and Procedure, Wright & Miller Vol X.

For Information on taxation of costs, contact: Brian Saame, Pro Se Law Clerk, Minneapolis/St. Paul Divisions, 612-664-5035  
Susan Anderson, Duluth Division Manager, 5t<sup>h</sup> & 6t<sup>h</sup> Divisions, 218-529-3502

GISLASON, MARTIN & VARPNESS, P.A.  
ATTORNEYS AND COUNSELORS AT LAW

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GLORIA DEEB

January 21, 2003

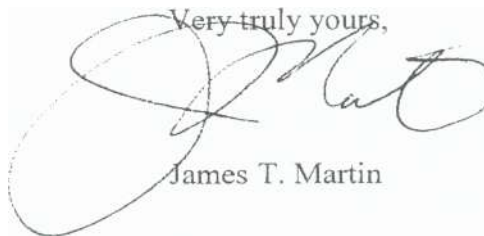
Clerk of U.S. District Court  
U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

**RE: *Terrell, et al v. Larson and Longen***  
File No: 0:01-CV-1360 (DSD/JMM)

Dear Clerk::

Enclosed for filing please find the original and two copies of the following:

- (1) Notice of Appeal;
- (2) Appellants' Form A;
- (3) Filing fee in the amount of \$105.00;
- (4) A copy of our written request for a transcript of the proceedings pursuant to FRAP 10(b)(1)(A)(iii).

Very truly yours,  
  
James T. Martin

JTM/aa  
Enc.  
cc: Pau- Applebaum

MARLENE P. HALLOWAY  
 COURT REPORTER  
 POST OFFICE BOX 8402  
 MINNEAPOLIS, MINNESOTA 55408  
 PHONE (612) 823-0729 FAX (612) 823-6186  
[mareene@mm.com](mailto:mareene@mm.com)

# Invoice

DATE

INVOICE #

2/28/03

398

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 BILL TO
 

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James T. Martin, Esq.  
 Gislason, Martin & Varpness, P.A.  
 7600 Parklawn Avenue South  
 Suite 444  
 Minneapolis, Minnesota 55435

DUE DATE

3/30/03

DESCRIPTION

AMOUNT

James E. Terrell, et al. vs. Brek Andrew Larson, et al.

92.00

Transcript of proceedings held on April 19, 2001 in the above-entitled matter

One transcript

Please make check payable to:

Marlene P. Halloway SSN [REDACTED]

**Total**

92.00 "

44 (Rev. 7/1/95)	UNITED STATES DISTRICT COURT									
For the		Fourth	District of	Minnesota						
INVOICE						NUMBER 030403A				
<b>TO:</b> James T. Martin Gislason, Martin & Varpness, P.A. 7600 Parklawn Ave. So., Suite 444 Minneapolis, MN 55435  PHONE:				<b>NOTE</b> <b>MAKE CHECK PAYABLE TO:</b> Karen J. Grufman Official Court Reporter 1005 U.S. Courthouse Minneapolis, MN 55415 PHONE: 612-664-5105    SS# <span style="background-color: black; color: black;">[REDACTED]</span>						
TRANSCRIPTS										
CRIMINAL <input checked="" type="checkbox"/> CIVIL		DATE ORDERED 1/21/03		DATE DELIVERED 3/4/03						
IN THE MATTER OF (CASE NUMBER AND TITLE) Terrell, et al v. Larson and Longen, Cv. 01-1360 DSD.										
CHARGES										
CATEGORY	ORIGINAL			1ST COPY			ADDITIONAL COPIES			TOTAL CHARGES
	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	PAGES	PRICE @	SUB TOTAL	
Ordinary	29	3.00	87.00							\$87.00
Expedited										
Daily										
Hourly										
For proceedings on (Date):    Hearing on 12/20/02, before the						TOTAL			\$87.00	
Honorable David S. Doty.						LESS DISCOUNT FOR LATE DELIVERY				
						LESS AMOUNT OF DEPOSIT				
						TOTAL REFUNDED				
						TOTAL			\$87.00	
ADDITIONAL INFORMATION										
Full price may be changed only if the transcript is delivered within the required time frame. For example, if an order for expedited transcript is not completed and delivered within (7) calendar days, payment would be at the ordinary <i>delivery</i> rate.										
CERTIFICATION										
I certify that the transcript fees charged and page format us							mply with the requirements of this court and the Judicial Conference of the United States.			
SIGNATURE OF OFFICIAL COURT REPORTER							DATE			
							3/4/03			

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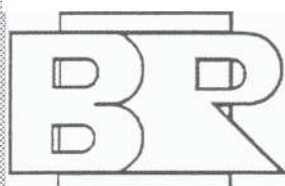




Minneapolis, MN 55435

\$542.77



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**INVOICE**

1396

**Date:** 9/26/2002

James T. Martin, Esq.  
 Gislason, Martin & Varpness, P.A.  
 Suite 444  
 7600 Parklawn Avenue South  
 Minneapolis, MN 55435

PLEASE MAKE CHECKS PAYABLE TO: Jennie L. Eng h  
 471-1'5-7619

Descript on	Amount
<p>py of Brek'Larson</p> <p>ek Larso E Al,</p> <p>Plaintiffs,</p> <p>Vs.</p> <p>James Terrell, E A</p> <p>Defendants'</p> <p>Date Taken On Augus 0 2002</p>	<p>\$284.07</p>
<p>Terms: P yment Due <u>Upon Receipt</u></p>	<p>S u btota I \$284.07</p>
<p>Service Charge</p>	<p>0. 0</p>
<p>Bal. Due</p>	<p>\$284.07</p>



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7600 PARKLAWN AVENUE SOUTH  
SUITE 444  
MINNEAPOLIS, MN 55435

JAMES T. MARTIN, ESQ

*TERRELL, ET AL vs LARSON, ET AL*

*DEPOSITION OF JORDAN E. TERRELL*

**INVOICE NO.:** 23640

**INVOICE DATE:** 10111/2002

**REPORTER:**

PEGGY STEWART [REDACTED]

ID#: (612) 339-6132

Date	Description	Amount
9/26/2002	Original & one transcript copy Appearance Condensed Transcript Postage/Delivery THANK YOU!	281.10
Total Amount Due		281.10

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